

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

CACHE RIVER VALLEY SEED, LLC, ET AL.

PLAINTIFFS

VS.

CASE NO. 3:07CV00061 JMM

BAYER CROPSCIENCE, LP, ET AL.

DEFENDANTS

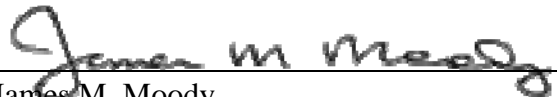
ORDER

The Motion to Quash Service of Process and to Dismiss on Behalf of Bayer AG, Bayer Cropscience AG, and Bayer Bioscience NC and for Stay of This Motion Pending Transfer is granted in part and denied in part (#3).

Based upon plaintiffs alternative request that “this Court should quash the purported service without dismissing this action and permit the Plaintiffs to correct any flawed service of process,” the Motion to Quash Service of Process is granted and the Motion to Dismiss is denied.

Based upon the notice of multidistrict litigation, the Motion to Stay is granted to the extent that upon proper and timely service of process the obligations of the parties under Rules 16 and 26 of the Federal Rules of Civil Procedure are stayed pending a decision of the Judicial Panel on Multidistrict Litigation (“MDL”) on whether to transfer this action to a MDL proceeding. In the event the MDL Judicial Panel orders transfer to an MDL Court, the stay shall remain in effect until the transferee court enters a new scheduling order lifting the stay. If the Judicial Panel denies transfer, defendants are directed to notify the Court within 11 days of that denial in order to permit entry of an amended initial scheduling order.

IT IS SO ORDERED THIS 21 day of June, 2007.


James M. Moody
United States District Judge